Sl. No 167

1940 :41-43-44-45 File No. 550/36. III

~~1941-48~~

A CLASS Public Works **DEPARTMENT**

E **BRANCH**

Subject:— Pension

General Orders regarding

the grant of —

V

AIK 1948

E

File No. 550/36 III

Std. Sectt. Slip 24-A

G R., G D., No 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

14

Subject :—

File No. 550/36

Public Works DEPT.

E BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Assessment and issue of pension in respect of home civil servants appointed to posts in India.

GOVERNMENT OF BOMBAY.

Finance Department.

Resolution No. 8508.

Bombay Castle, 17th January 1945.

RESOLUTION OF GOVERNMENT.

In exercise of the powers conferred by clause (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Government of Bombay is pleased to amend the Bombay Civil Services Rules, as follows, namely:-

In the said Rules after rule 281-A the following rule shall be inserted namely:-

" 281B. (1) If a civil servant as defined by section 12 of the Superannuation Act, 1887, is appointed by Government to any office under the Crown in India, Government may direct that his service in that office shall qualify for the grant of a pension or gratuity as if it were service rendered in the office held by him as a civil servant immediately before his appointment to service in India, and there shall be paid to or in respect of him, out of the revenues of the Province and shall be charged on those revenues, in respect of the whole period of his absence from the United Kingdom in connection with his appointment to service in India under Government a pension or gratuity calculated in accordance with the Superannuation Acts, 1834 to 1935, and the orders, rules and regulations made thereunder, but on the basis of the salary of the office last held by him as a civil servant before his appointment to service in India.

(2) No such direction as aforesaid shall be given in relation to service in any office if the service of the person in question in that office would qualify for the grant of a pension without any such direction.

(3) Any grant made under these rules is subject to reduction or suspension or withdrawal in the same way as pension or gratuity under the Superannuation Acts, any reduction of a total award of which a grant under these rules forms part ~~sh~~ being applied proportionately".

By order of the Governor of Bombay,

S. D. A HARGOLWALA,
Deputy Secretary to Government.

G.R., No. 8508, F.D., dated 17th January 1945.

To

The Accountant General, Bombay,

The Prothonotary and Senior Master, His Majesty's High Court, Bombay,

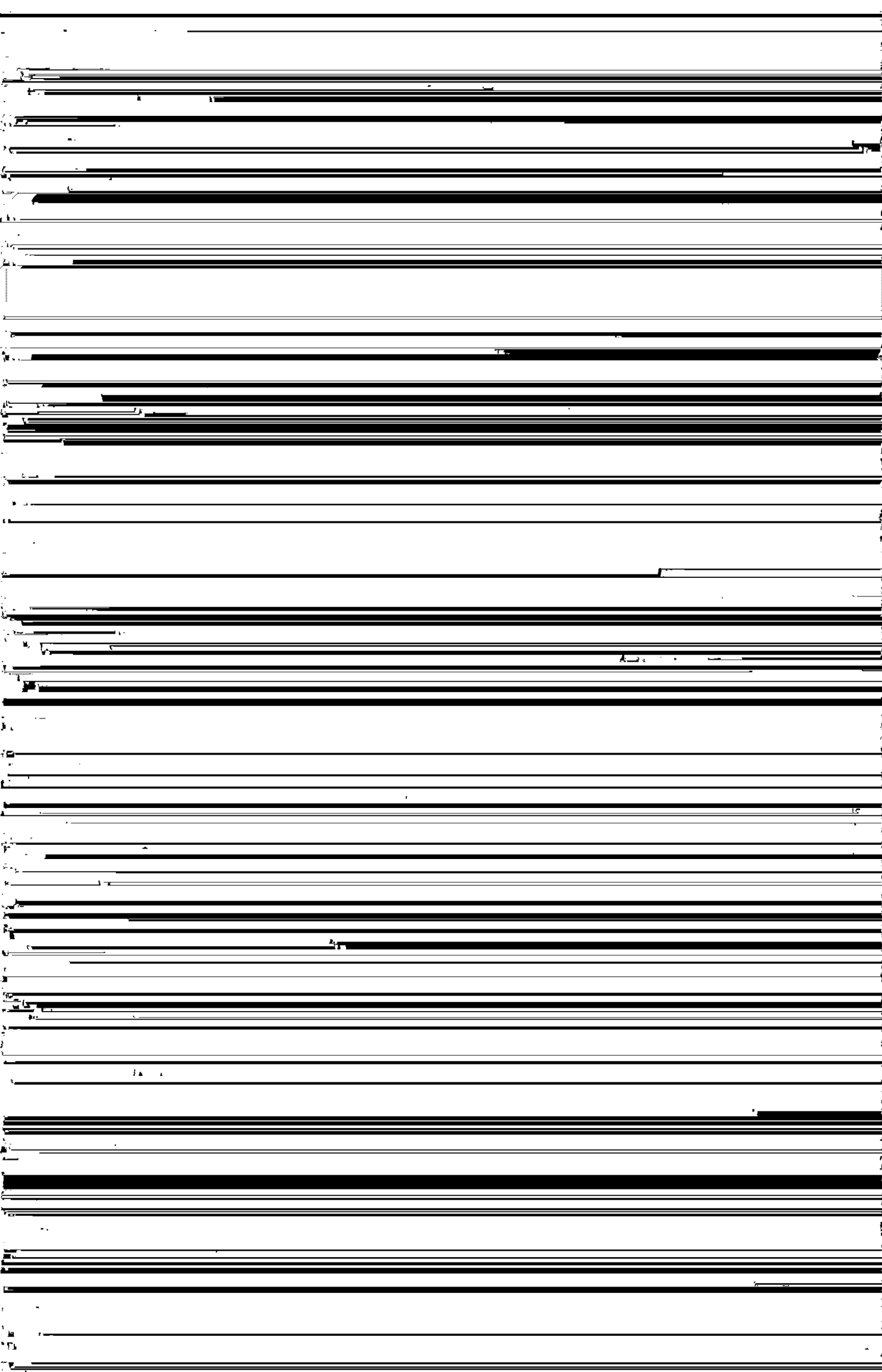
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,

All Heads of Departments under the Several Departments of the Secretariat,

All Departments of the Secretariat.

No. of 1945.

Copy forwarded for information and guidance to



have already been transferred in the circumstances contemplated in Article 4-A of the Civil Service Regulations before its promulgation may exercise the option of remaining under the pension rules to which they would have been subject had they not been transferred, within six months from the date of this Resolution, or, if the officers be on leave on that date, within six months of their ruturn from leave.

By order of the Governor
of Bombay,

J. SANTOS,
Deputy Secretary to Government.

G.R. No.1990/33,F.D., dated the 4th January 1940.

To

The Accountant General,
*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
*The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
All other Heads of Departments,
All Departments of the Secretariat.

*By letter.

No. of 1940.

Copy forwarded for information and guidance to

Id/-
17/1

MWH/-

No...

Page 62, Rule 139-

Substitute the following for this Rule :-

"139. Good conduct is an implied condition of every grant of pension. Government may withold or withdraw a pension or any part of it if the pensioner be convicted of serious crime or be found to have been guilty of grave misconduct either during or after the completion of his service, provided that before any order to this effect is issued, the procedure referred to in Note 1 to Rule 33 of the Bombay Civil Services Conduct, Discipline and Appeal Rules shall be followed."

(G.M., F. D. 1916/33/5238-c dated 6th March 1940).

(Correction No. Financial Publication No. - V,3rd

D Edition, Volume I, dated 1940).

No...

Page 65, Rule 165 A-

Substitute "referred to in Note 1 to Rule 33 of" for "prescribed in" in the proviso to this rule.

(G.M., F.D. 1916/33/5238-C, dated 6th March 1940).

(Correction No. ; Financial Publication No. - V,3rd

Edition, Volume II, dated 1940).

No. 1916/33/5233-C.

Finance Department.

Bombay Castle, 6th March 1940.

Subject :- Pension:

Reduction, withdrawal or stoppage of--

(Amendments to Bombay Civil Services Rules).

Memorandum.

The undersigned presents compliments to the Accountant General and is directed to forward herewith a copy of two correction slips to the Bombay Civil Services Rules Manual, Volume I, with the intimation that they will be issued in print in due course.

By order of the Governor of Bombay.

Sd/-

Deputy Secretary to the Government of Bombay, Finance Department.

Accompaniment.- x 2 correction slips.

Copy, with a copy of the correction slips, to all Departments of the Secretariat.

MWH./-

No.PE R.A./7621. Office of the Accountant General,
Queen's Road,
Bombay, 24th January 1940.

R
From

The Accountant General, Bombay,

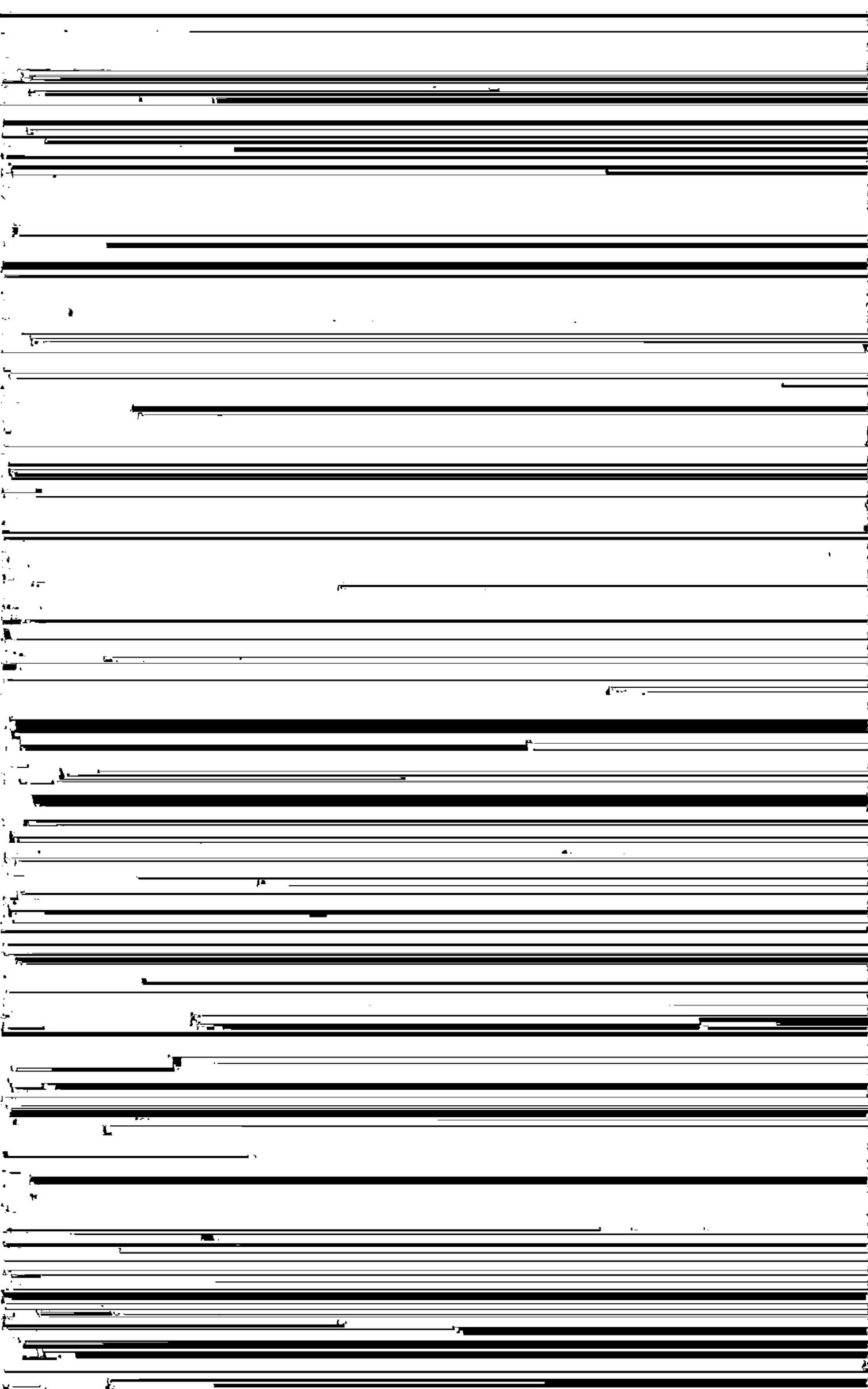
To

The Secretary to Government in the Finance Department, Bombay.

Subject:- Method of calculating pensionable pay when non-pensionable service falls during the last three years of service.

Sir,

I have the honour to state that one Mr. A.V. pathrule late a cadastral Surveyor, District Survey office, Thana, retired on invalid pension with effect from 16-7-39. He held no substantive appointment during the entire period of his service from 16-2-14 to 14-7-39. His temporary service on Pot Hissa and City Survey however counts for pension under Note 1 of rule 249 of the B. C. S. Rs. He has also rendered officiating service for some period as Cadastral Surveryor (occurring during the last three years of his service) which di does not count for pension as the of iciating service is not - followed by confirmation. For purpose of determining the pensionable pay the periods of pensionable service only falling during the last three years have been taken into account and the pension is fixed on the basis of pensionable pay earned during those periods. As there is no rule in the Bombay Civil Services Rules under which such type of cases which are very rare can be covered, Government will please confirm the action taken by this office in adopting the method of calculating pensionable pay in the



No. 4589/33-C.

Finance Department.

Bombay Castle, 8th May 1940.

Subject:- Pensionable pay:
Calculation of ----.

Memorandum.

The undersigned presents compliments to the Accountant General and with reference to his letter No.F.R.A./7621, dated 24th January 1940, is directed to state that in the case referred to by him pensionable pay should be calculated with reference to the pay drawn during the actual period of three years of pensionable service before the date of retirement.

By order of the Governor of Bombay,

Sd/-

Deputy Secretary to the Government of Bombay, Finance-Department.

Copy to the Revenue Department and other Departments of the Secretariat (with a copy of the letter under reply).

NWM/-

No.....

Pages 90-91, Rule 289-

Substitute the following for Rule 289, retaining present Notes 1 and 2 but deleting note3:-

"289. The amount of special additional pension admissible to a Government Servant who has held one of the posts listed in Appendix X, service in which qualifies for such pension, is-

(i) if he held a qualifying post before 4th August 1931, Rs.300 a year and otherwise Rs.250 a year, for each completed period of 11 month's duty performed while holding, or holding a lien on, one of the posts listed as lower grade posts in Part II of the Appendix, or after his lien on such a post had been suspended under Rule 19; and

(ii) if he held a qualifying post before 4th August 1931, Rs.500 a year and otherwise Rs. 400 a year, for each completed period of 11 month's duty performed while holding, or holding a lien on, one of the posts listed as upper grade posts in Part I of the Appendix, or after his lien on such a post had been suspended under Rule 19; Provided-

(1) that the maximum additional pension admissible in respect of duty performed in lower grade posts shall be Rs.1,500 a year in the case of Government servants who held a qualifying post before 4th August 1931 and Rs. 1,250 a year in the case of others;

(2) that the maximum additional pension admissible in respect of duty performed in both lower and upper grade posts or in upper grade posts alone shall be Rs. 2,500 a year in the case of Government servants who held a qualifying post before 4th August 1931, and Rs. 2,000 a year in the case of the others; and

(3) that a period of duty in an upper grade post which falls short of 11 months may be combined with a similar period of duty in a lower grade post in order to make up a period of 11 months' duty qualifying for additional pension under clause (1) of this rule".

(G.M.9112-C dated 10th May 1940).

(Correction No..., Finl. Publn. No.V, 3rd Edition, Volume I, dated 1940).

No.9112-C.

Finance Department.

Bombay Castle, 10th May 1940.

Subject:- Pension:
Maximum limits of--.
reduction in,

Memorandum,

The undersigned presents compliments to the Accountant General and is directed to state that the accompanying amendment to the Bombay Civil Services R Rules has been approved by Government and that it will be printed in due course.

By order of the Governor of Bombay,

Sd/-

Deputy Secretary to the Government of Bombay, Finance Department.

Copy, with a copy of the accompaniment, forwarded to all Departments of the Secretariat (except the - Separate Department.).

Copy of letter No. F. 6(55)-R. II/39, Dated Simla, The 2nd September 1939, From the Government of India, Finance Department, To His Majesty's Under Secretary of State for India, India Office, London.

Subject:- Concessional rate of exchange applicable to certain classes of pensioners residing in 'India'.

With reference to Mr. Grist's letter No. F.-7258/39-Financial, dated the 6th April 1939, on the subject indicated above, I am directed to say that there is no statutory obligation on the part of the Government of India to include Burma in India for the purpose of the concessional rate of exchange embodied in Articles 933-A. and 983 of the Civil Service Regulations and in paragraphs 22-24 of the Pension Regulations for the Army in India. There is, however, a moral justification for continuing the concession in respect of pensioners who have retired before the separation of Burma and have taken up residence in Burma. Similar justification, though to a lesser degree, would exist in the case of those who although retired after the date of separation were in service before that date, for the reason that at the time of their entry in service they did not expect to be deprived of the concession on account of the separation of Burma. It would be hard on them now to debar them from the concession. Moreover the concessional rate of exchange is admissible only to a limited class of officers and will cease to be operative about 15 years hence. In the circumstances the Government of India agree with the Secretary of State's view that for the purposes of the concession in question residence in Burma should, notwithstanding the separation of Burma, be deemed to be residence in India.

2. A draft of the necessary amendments to the Civil Service Regulations and the Pension Regulations for the Army in India is enclosed forth the sanction of

the Secretary of State.

3. Provision similar to that in the rules referred to in paragraph 1 above exists in Rule 26-B of the High Court Judges (India) Rules, 1922. The proviso to paragraph 21 of the Government of India (High Court Judges) ~~Ad~~ Order, 1937, also lays down that any specific privilege in respect of the conversion of sterling pensions which was conferred by any rules previously in force on persons who, on 1st February 1921, were members of a Civil service of the crown in India shall not be affected. For the reasons given in paragraph ~~1~~ above 1 above His Excellency the Governor General requests that the Secretary of State may be pleased to move His Majesty to make an Order in Council amending Rule 26-B of the High Court Judges(India) Rules, 1922, so as to include residence in Burma as well as residence in ~~India~~. India.

4. Section 272 of the Government of India Act, 1935, prescribes that payment of pensions to classes of persons specified therein shall be made by, or in accordance with the arrangements made with, the Secretary of State. The Government of India have considered the question whether in view of this provision the procedural rules regarding payment of pensions in Articles 966 et seq. of the Civil Service Regulations require revision. They have come to the conclusion that the existing procedural arrangements can be treated as "arrangements made with the Secretary of State" within the meaning of section 272, so that no amendment to the procedural rules is required. I am, however, to bring the matter to the notice of the Secretary of State.

Draft amendment.

1. In the provisos to Articles 933-A and 983, Civil Service Regulations, after the word 'India' wherever it occurs the words "or Burma" shall be inserted.

2. In paras. 22-24 of the Pension Regulations for the Army in India (rules 283 and 284 of the new Pension Regulations, Part I, 1939, which we were approved by the Secretary of State in India Office letter No. M-2801/39, dated the 19th July 1939), after the word 'India' wherever it occurs the words "or Burma" shall be inserted.

Copy of Letter No. F.7011/40, Dated the 14th - Fubruary 1940, From India Office, Whitehall, London, The To the Secretary to the Government of India, Finance Department.

Application of concessional rates of exchange to sterling pensions drawn in Burma.

In reply to your letter of the 23rd November 1939, No. F.R 2458 6(66)-R.II/39, I am directed to forward copy of the amendments made by the Secretary of State to Articles 933-A and 983, Civil Service Regulations, regarding the application of concessional rates of exchange to sterling pensions drawn in Burma. These amendments have been given retrospective effect to 1st April, 1937 in order to cover any cases in which the concessional rate of exchange has been applied since the separation of India and Burma. The Secretary of State has approved similar amendments in the Pension Regulations for the Army in India.

2. As regards High Court Judges, I am to say that the question of amending the Government of India (High Court Judges) Order, 1937, will be

XXXX
cont'd

amdi considered if and when occasion arises.

3. I am to add that [illegible] your letter No. E F. 6(65)-R.II/39, dated 2nd September 1939, has not been received. The question raised in paragraph 4 of that letter will be examined in connection with the recodification of pension rules. In the meantime the Secretary of State agrees that no amendment of Articles 966 et seq., Civil Service Regulations, is necessary.

F. 7011/40.

I, Lawrence John Lumley, Marquess of Zetland, one of His Majesty's Principal Secretaries of State, in exercise of the powers conferred upon me by Sections 247 and 260 (2) of the Government of India Act, 1935, hereby make, with the concurrence of my Advisers, the following amendments in the Civil Service Regulations and direct that they shall have effect from the 1st April 1937:--

In the provisos to Articles 933-A and 983 of the said Regulations, after the word "India" wherever it occurs, the words "or Burma" shall be inserted.

Given under my hand this 13th day of February 1940.

ZETLAND,

One of His Majesty's Principal Secretaries of State.

MWR/-

FINANCE DEPARTMENT

NOTIFICATION

New Delhi, the 11th April 1940

No. F.-6 (56)-R.II/39.-- The following amendments to the Civil Service Regulations made by the Secretary of State are published for general information:--

F. 7011/40.- I, Lawrence John Lumley, a Marquess of 8 Zetland, one of His Majesty's principal Secretaries of State, in exercise of the powers conferred upon me by Sections 247 and 250 (2) of the Government of India Act, 1935, hereby make, with the concurrence of my Advisers, the following amendments in the Civil Service R Regulations and direct that they shall have effect from the 1st April, 1937:-

In the provisos to Articles 933-A and 983 of the said Regulations, after the word "India" wherever it occurs, the words "or Burma" shall be inserted.

Given under my hand this 13th day of February 1940.

Zetland,
One of His Majest's
Principal
Secretaries of State.

R. S. SYMONS,
Deputy Secy. to the Govt.
of India.

No. F. 6(56)-R.II/39.

Copy , with a copy of the correspondence noted below, forwarded to the Secretary to

the Governor General (Public), Defence Department, the Financial Adviser, Military Finance, and the Auditor General of India.

1. Letter to the India Office, No. F.6(55)-R. II/39, dated 2nd September 1939, with enclosure.

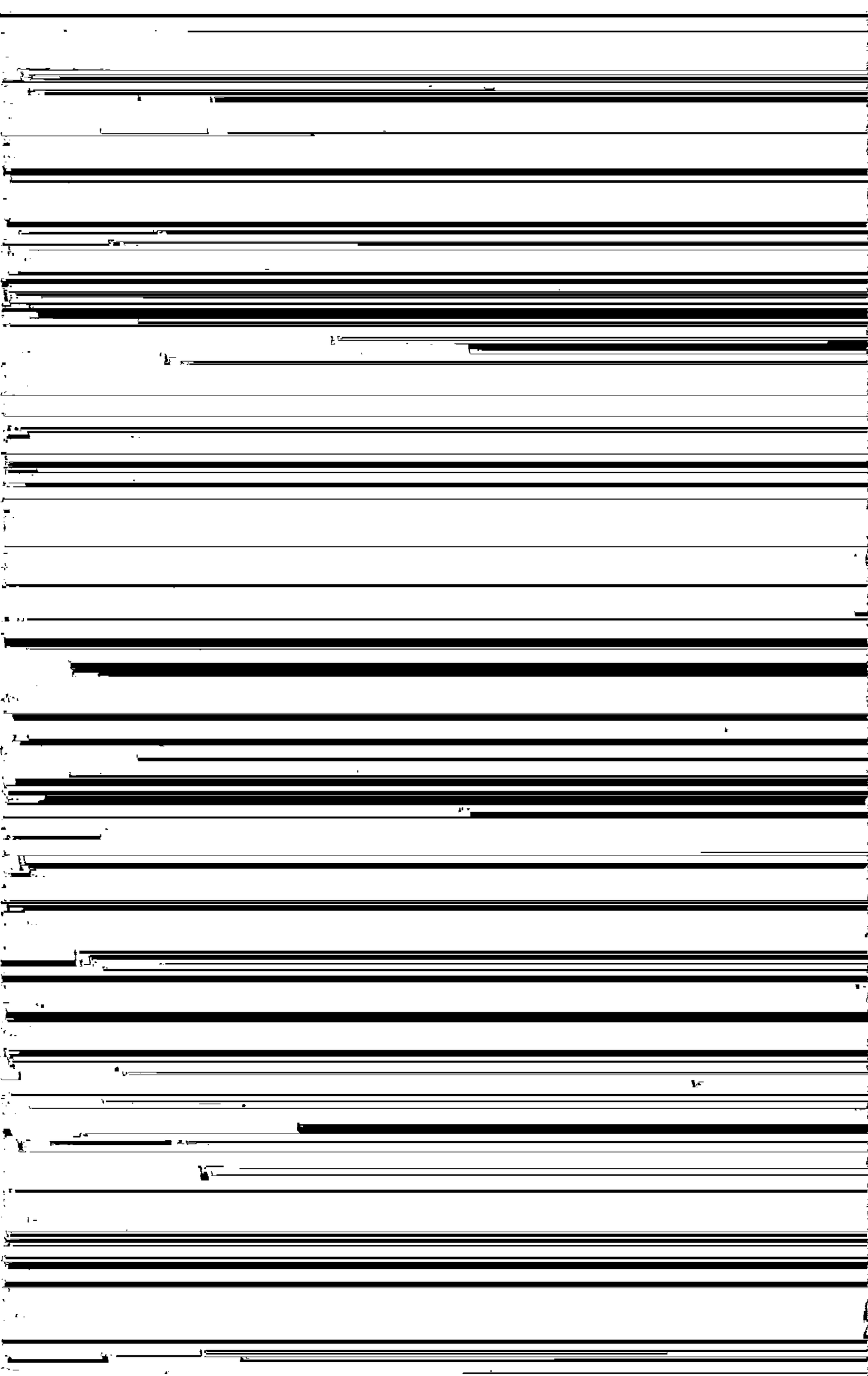
2. Letter from the India Office, No. F.7011/40-Financial, dated 14th February 1940, with enclosure.

Copy also forwarded to all Chief Commissioners; the High Commissioner for India; the several Departments of the Government of India (except Defence Department); the Political Department; the Defence Co-ordination Department; the Secretary to the Governor General (Personnel); the Crown Finance Officer; the Supply Department; the Finance Officer, Communications; the Secretary to the Executive Council; the Federal Court; the Military and Private Secretaries to His Excellency the Viceroy; the Central Board of Revenue; the Mint Masters; the Master, Security Printing, India and the Financial Commissioner, Railways.

Copy also forwarded to all Accountants General, all Comptrollers; the Director of Railway Audit and all Railway Audit Officers under his control; the Controller of Railway Accounts; the Chief Accounts Officers, East Indian Railway; Eastern Bengal Railway; Great Indian Peninsualla Railway and North Western Railway; the Director, Railway Clearing Accounts Office, Delhi; the Director of Audit, Defence Services; the Chief Auditor, Indian Stores Department; the Chief Accounting Officer to the High Commissioner for India; the Deputy Accountants General under the Accountant General, Posts and Telegraphs and Accounts Officer, Telegraph Check Officer Officer, Calcutta.

By order, etc; .....

(S.RANGAWA



No.....

Page 74 - Rule 245.

Substitute the following for the first six lines of this Rule:-

"If a Government servant had, prior to his appointment to Government service in India, rendered satisfactory paid service in the Great War (between the 4th August 1914 and the 31st August 1921) in His Majesty's Military, Naval, Royal Indian Marine or Air Forces, British or Indian, which did not qualify for a service pension under the Military, Naval, Royal Indian Marine or Air Force Rules, four-fifths of the service so rendered shall be treated"

(G.H.1948/33/16316-C dated 23rd July 1940).
(Correction No..., Finl. Pubin. No. V, -
3rd Edition, Volume I, dated 1940).

No.11579/235of 1939.

Office of the Commissioner of Police,
Bombay, 7th August 1939.

From

N.P.A. Smith, Esquire, I.P.,
Commissioner of Police, Bombay.

To

The Secretary to the Government of Bombay,
Finance Department, Bombay.

Subject:- Application of Bombay Civil Service Rule 245.

Sir,

I have the honour to state that I requested

.....

the Accountant General, Bombay, to express his opinion whether in view of note 2 to Bombay Civil Service Rule 245, a case of satisfactory paid military service rendered during the prescribed war service period, but not enlisted for service during the great war, could be brought under Bombay Civil Service Rule 245.

2. That officer, in his letter No.P.R.Military -3124, dated 25th July 1939, replied that in view of the amendment to Bombay Civil Service Rule 245 introduced by Government Memorandum, Finance Department, No.1943/33-C, dated 13-4-1938, it appeared that the military service in question could be brought under Bombay Civil Service Rule 245, but in view of note 2 to the rule, he suggested a reference to Government for orders on the point.

3. I therefore request that Government may kindly be moved to enlighten me on the point.

I have the honour to be,

Sir,

Your most obedient servant,

N.P.A. Smith,

Commissioner of Police.

No. 1948/33/16816-C.

Finance Department.

Bombay Castle, 23rd July 1940.

Subject:- Pensions:

Military Service:

Counting of -- towards__.

Memorandum.

The undersigned presents compliments to the Commissioner of Police and with reference to his letter No.1157/235 dated 7th August 1939, on the subject noted above, is directed to state that the case of a civil ex employee who has rendered satisfactory paid military service during the official period of the last war ~~xxxxx~~ but who was not ~~xxx~~ enlisted for service in the great war cannot be brought under Bombay Civil Services Rule 245. A Copy of the amendment approved by Government with a view to make this intention clear is forwarded herewith with the intimation that it will be printed and published in due course.

By order of the Governor of Bombay,

Sd/-

for Deputy Secretary to the Government of Bombay,

Finance Department.

Accompaniment.- Copy of the amendment referred to.

Copy with a copy of the letter under reply and of the draft amendments to--

the Home Department,

the Accountant General,

all other Departments of the Secretariat.

MWH/-

Pension:

Military Service:

Counting of, Towards--.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Circular No. 1948/33.

Cancelled vide - G.R.F.D. No. - 1948/33, dated the 6th January 1947.

Bombay Castle, 23rd July 1940.

CIRCULAR OF GOVERNMENT.

A question has been raised whether, in view of Note 2 below Bombay Civil Services Rule 246, a Civil employee, who rendered satisfactory paid military service during the official period of the war from 4th August 1914 to 31st August 1921, but who had not been enlisted for service in that war, should be allowed to count his military service for pension under Bombay Civil Services Rule 246; that is to say, whether the concession given by that rule is conditional on actual enlistment for service in the Great War. ~~The xxxx

By order of the Governor -
of Bombay,

B. VENKATAPPIAH,
Deputy Secretary to Government.

G. C. 1943/33, F. D., dated the 23rd July 1940.

To

The Accountant General,
*The Prothonotary and Senior Master,
His Majesty's High Court, Bombay,
*The Registrar of His Majesty's High Court of
Judicature, Appellate Side, Bombay,
All other Heads of Departments under the
several Departments of the Secretariat,
All Departments of the Secretariat.

*By letter.

M.W.H./-

Pension:

Military Service:

Counting of, towards---

GOVERNMENT OF BOMBAY.

Cancelled vide G.R.F.D.No. 1948/33, dated 6th January 1947.

Finance Department.

Circular No. 1948/33.

Bombay Castle, 14th February 1941.

CIRCULAR OF GOVERNMENT.

In amplification of Government Circular, Finance Department, No. 1948/33, dated 23rd July 1940, Government is pleased to direct that, in cases where the military audit officer concerned is unable to state whether the enlistment was in connection with the Great War, a certificate of the Officer Commanding the Unit concerned may be accepted.

By order of the Governor of Bombay,

R. R. RANA;
for Deputy Secretary to Government.

To

The Accountant General,

* The Prothonotary and Senior Master, His Majesty's High Court, Bombay,

* The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,

All other Heads of Departments under the several Departments of the Secretariat,

All Departments of the Secretariat.

*By letter.

L Fin H 61 No. of 1941,

Copy forwarded for information and guidance to

M.W.H./-

Procedure for the expeditious settlement of family pension claims ect., of Indian military personnel.

GOVERNMENT OF BOMBAY.
Home Department (Political)-War,
Resolution No.S.D./W- 3231.
Council Hall, Bombay, 3rd December 1941.

Letter from the Government of India, Defence Department (Army Branch), No. E/67113/Pt.I/A. G.14(b), dated 18th November 1941:-

"It has been represented that the existing procedure under which officers commanding units, depots or departments conduct all correspondence with local ~~et~~ ~~et~~ civil officials in connection with the investigation of family pension claims etc. of Indian military personnel leads to unnecessary delay in the final settlement of such ~~in~~ claims.

2. The Government of India consider that civil investigation could be expedited if after officers commanding units, depots or departments have approached the Deputy Commissioner, Collector or other civil authority concerned in the usual way, any further enquiries which arise after the claims have reached the Controller of Military Accounts and Pensions should be addressed by the Controller to the lower civil authorities direct, e.g., the tahsildar.

3. I am to request that this Department may be informed whether the Provincial Government agree to the procedure outlined in paragraph 2 above, in which case it is assumed that any orders considered necessary will be issued to the local authorities."

Letter to the Government of India, No.S.D./W 3232, dated the 3rd December 1941.

RESOLUTION. -- Copies of the foregoing correspondence should be forwarded to all Collectors and..

the Commissioner of Police, Bombay, for information and guidance. The Collectors should be requested to issue the necessary instructions to their Mamlatdars.

By order of the Governor of Bombay,

Sd/-

Joint Secretary to the Government of Bombay,
Home Department(A.R.P.).

To

The Commissioner of Police, Bombay,
All collectors of Districts.

Copies to:-

All Commissioners of Divisions,
The Inspector General of Police, Province of Bombay,
All Deputy Inspectors General of Police,
All 8 District Superintendents of Police,
The Civil Recruiting Officers, Poona,
All Departments of the Secretariat (except Separate Department),

The Secretary to the Governor,
Headquarters, Southern Command,
Headquarters, Bombay District,
Headquarters, Rem Poona Area,
The Assistant Director of Recruiting, Southern Area, Poona,
The Recruiting Officer, Poona.

M.W.R./-

Pension Rules:
Bombay Civil Services Rule 282.
Amendment of --.

GOVERNMENT OF BOMBAY.
Finance Department.
Resolution No. 2736/38.
Bombay Castle, 19th November 1941.

Letter from the Accountant General, Bombay, No. P.R. 2621 dated 23rd June 1941.

" I have the honour to state that Miss M. Dastur, late Head Mistress, Anglo-Urdu Girls' High School, Poona, was appointed to officiate in B. B. B. S. Class II with effect from 26th July 1939 and was retired on superannuation on 18th April 1940. She has rendered pensionable duty of 22 years 1 month and 14 dd days and her pensionable pay worked out under Bombay Civil Services Rule 9 (41) (1) after t taking into account her officiating pay in the B. B. S. Class II amounts to Rs. 349-2-6. Under Bombay Civil Services Rule 282 (4) read with explanation (b) (i) thereunder, Miss Dastur's pension will amount to Rs. 109 per mensem i.e., 21/48th of her pensionable pay. This is obtained by applying the existing scale IV under Bombay Civil Services Rule 282 as revised by Correction Slip No. 111 dated 15th October 1940 to her case.

"2. It is however, brought to the notice of Government that had this lady not been promoted to B. B. S. her pension would have continued to s be regulated by scale III, which as it stands, would have given her Rs 246-13-2 as pensionable pay, and a pension of Rs. 123-7-0 at 24/48ths. As this is obviously an anomalous result which could not have been the intention of the rules, the case is brought to the special notice of Government

.....

for such action as may be considered necessary".

RESOLUTION.--- The Governor of Bombay is pleased to direct that the following amendments shall should be made to Bombay Civil Services Rule 282:--

Page 64, Rule 282--

Substitute the following for the existing proviso the this rule:-

"provided that in the case of a Government servant who is appointed to a service under Government after 3rd August 1931, either by promotion from non-gazetted rank to a provincial service or by promotion from a lower Gazetted service to a higher one, the pension for which he is eligible (if otherwise due to him), shall not be less than the pension which would have been admissible to him had he continued to remain in the post which he held before promotion".

2. The case of Miss M. Dastur, formerly Head Mistress, Anglo-Urdu Girls' High School, Poona,, should be governed by these orders.

By order of the Governor of Bombay,

V. V. MADKARNI,
Deputy Secretary to Government.

G. R. No. 2736/33, F. D. , dated the 18th November 1941.

To

The Accountant General,
*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
*The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
All Departments of the Secretariat,
All other Heads of Departments.

*By letter.
No. of 1941.

Copy forwarded for information and guidance to

M.W.H./

Pensions:
Military Service.
Counting of, towards--.

Cancelled vide G.A. F.D. No. 1948/33, dated the 6th January 1947.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No. 1948/33.
BOMBAY CASTLE, 16th April 1943.

CIRCULAR OF GOVERNMENT.

In amplification of Government Circular, Finance Department, No. 1948/33, ~~dated~~ dated 14th February 1941, Government is pleased to direct that in cases where the Officer Commanding the Unit also is unable to state whether the enlistment was in connection with the ~~last~~ Great War, a certificate from the Officer in charge of Records may be accepted.

By order of the Governor of Bombay,

K. F. MATHRANI,
Deputy Secretary to Government,

G. C., No. 1948/33, F. D. ? dated the 16th April 1943.

To

The Accountant General, Bombay,
The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
All ~~other~~ other Heads of Departments under the several Departments of the Secretariat
All Departments of the Secretariat.

No. of 1943.

Copy forwarded for information and guidance to

E.B.

The F.D. orders have been noted
Record.

7/5/43. Id/-

M.W.H./-

No. F.S(1)-R.II/44.
Government of India.
Finance Department.
Simla, the 25th January 1944.

From

K.R.P.Aiyangar, Esquire,
Additional Deputy Secretary to the
Government of India.

Amplified by G.R., F.D., No. 3576, dated 8th Jan.1945.

To

All provincial Governments.

Subject:- Payment of Civil Pensions to pensioners ~~re-employ~~ re-employed by the Military authorities.

Sir,

I am directed to say that in consultation with the Auditor General, the government of India have decided to adopt the following procedure in respect of the payment of Civil Pensions where it is admissible in addition to army pay to pensioners re-employed by the military authorities.

(1) General procedure for payment:

The military account officers who pay the military pay and allowances of the re-employed civil pensioners should pay the Civil pension of ~~shx~~ such individuals except in the case of these who draw their pensions through Banks. The Military pay and allowances of these individuals are however not directly disbursed by the Military Account Officers. In the peace time system of ~~x~~ pay accounting the military pay and allowances are actually disbursed by the officers commanding Units or Heads of Offices in which the individuals are serving. In the war system of pay accounting, no pay and allowances as such are disbursed at all to them; the pay and allowances actually earned by them are credited each month in their Individual .....

Running Ledger Accounts which are maintained by the Military Accounts Department. The same procedure should be followed in respect of the pr payment of Civil Pensions. In order to enable the Military account officers to arrange af for the payment of these Civil pensions, the Civil Account Officers should issue pension payment orders direct to the controllers of the Military Accounts in whose audit control the individual are serving and not through the Controller of Military Accounts and Pensions, Lahore.

(ii) Procedure for adjustments.- The Military Accout Officers should pass on the debits realating to these Civil pensions to the Civil Account Officers concerned for adjustment; In view of the procedure mentioned in paragraph (i) above, it will not be possible for the Military Account Officers to supposrt these debits either by "Paid" vouchers or by certificates of actual payment. The following procedure should, therefore, be adopted in passing these debits to the Civil Account Officers.

(a) For persons on the War System of pay Accounting. The debits should be supported by a certificate of the Military Account Officer that the amounts of pensions have been credited to the Individual Running Ledger Account of the pensioners concerned. The individual pensioner on return to his Department should at settlement his accounts with the officer Commanding and then give final receipts for all pension payments credited piecemeal to his account.

(b) For persons on peace system of Accounting - Initially the debits should be supported by a certificate of the Military Accounts Officers that the amounts of pensions have been p .....

paid to the Officer Commanding the Unit or the Head of the officer concerned for payment to the individual pensioners. Subsequently the officer Commanding the Unit or the Head of the office should obtain from the pensioners quarterly certificates showing the receipt of Civil pensions by them and forward them to their respective Military Account Officer for transmission to the Civil Account Officer concerned. Both the Military and the Civil Account Officers should watch the receipt of these quarterly certificates.

(iii) Life certificates.- The Military Account Officers will xxtnot look for any formal life certificates of the re-employed xx pensioners before (or after) paying or crediting their Civil pensions along with their military pay and allowances. They will pay or credit the civil pensions so long as they continue to pay or credit the military x pay and allowances of these pensioners subject to the provision in paragraph (iv) below.

(iv) Stoppage of payments by the Military Account Officers.

If an Indian soldier or a Civilian Sub-ordinate is reported as missing or as having been taken as a prisoner of war ect., the Military Account Officer should, after the end of the month in wt which such an intimation has been received cease to pay or credit his civil pension and report the fact to the Civil account officer concerned. Necessary arrangement for the payment of pension will be made by the Civil Account officer concerned on the re-appearance or release of this pensioner.

I am to add that in respect of Central Government's pensioners serving overseas the Government of India have also decided to arrange for the payment of Civil pension to the nominees of such pensioners. When such payments are arranged, the procedure prescribed for payment fo family allotment will be followed: *.*. i. e. the nominee will be required to furnish an undertaking to the effect that he will pay on demand to the Government any amount which may be found due to Government from the pensioner on settlement of accounts. The production of life certificate by the pensioner will be dispensed with. But in order to minimise the risk of payment continuing in the event of a pensioner's death, arrangements will be made with the Military authorities to send to the Civil Treasury Officers concerned and prompt telegraphic intimation of the death of a pensioner.

3. The Government of India have assumed the concurrence* of the provincial Governments in regard to the procedure explaining in paragraph 1 above and command the adoption of the arrangements explained in paragraph 3 in the case of the Provincial Government's pensioners.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- K.R.P.Aiyangar,

Additional Deputy Secretary to

the Government of India.

No. 3576-C.

Finance Departme

Bombay Castle, 6th May

Forwarded with compliments to the

Accountant General, Bombay,

General Department,

Educational Department,

Revenue Department,

Home Department,

Legal Department,

Political and Services Department,

Public Works Department,

Finance Department (Supply)

for information and guidance.

2. Sanction is accorded to the adoption of the arrangements explained in paragraph 2 of the Government of India letter in the case of the pensioners of the Government of Bombay,

By order of the Governor of Bombay,

Id/-

For Under Secretary to the Government of Bombay,

Finance Department.

E.B.(II)

Submitted for information.

ID/- 6-6-

Record.

Id/- 7/6/

N.W.H./-

Cancelled vide G.R.F.D. No.3576, dated 1-4-50. (343/48/36668)

Pay ment of Civil pensions to the nominees of Bombay Government pensioners who are re-employed by the Military Authorities and serve overs -seas.

GOVERNMENT OF BOMBAY.
Finance Department.
Resolution No. 3576.
Bombay Castle, 8th January 1945.
RESOLUTION OF GOVERNMENT.

The Government of Bombay has decided to arrange for the payment of civil pensions of its pensioners serving overseas to their nominees. Where such payments are arranged, the pensioner will be required to forward an application in the accompanying form "A" to the Accountant General, Bombay, together with the pension payment order, through the Military Accounts Officer concerned. When the payment is first made to the nominee he will be required to furnish an undertaking in the accompanying form " B " to the effect that he will pay on demand to Government any amount which may be found due to Government from the pensioner on settlement of accounts. The production of life certificate by the pensioners will be dispensed with. But in order to minimise the risk of payment continuing in the event of a pensioner's death, arrangement will be made by the Military authorities to send to the Civil Treasury Officers concerned, prompt telegraphic intimation of the death of pensioner. A post copy of the intimation will also be sent to the Accountant General, Bombay.

2. The Superintendent, Government Printing and Stationery, should be requested to print 500 copies each of forms " A " and " B " and to supply copies of form " A " to the Accountant General, Bombay, and form " B " to the Rem Treasury Officer as and when required. The Treasury Officers shou inform the Superintendent, Government Printing Stationery, direct of their requirements.

By order of the Governor of Bombay,

K. P. MATHRANI,
Deputy Secretary to Government.

To

The Accountant General, Bombay,
The Registrar of His Majesty's High Court
of Judicature, Appellate Side, Bombay,
The Prothonotary and Senior Master, His
Majesty's High Court, Bombay,
The Superintendent, Government Printing
and Stationery, ~~Bombay~~ Bombay,
All Heads of Offices under the Several
Departments of the Secretariat,
All Treasury Officers (with spare copies
for Sub-Treasuries),
All Departments of the Secretariat.

*printed as accompaniments
to this Resolution.

No. of 1945.

Copy forwarded for information and guidance to

* This C.R. is in amplification
of the F.D. Endorsement,
No.3576/C dated the 5th May 1944.

Accompaniments to Government Resolution,
Finance Department, No.3576, dated 8th January 1945.

FORM A.

Application for the payment of civil
pension of a pensioner * serving overseas
to his nominee.

1. Name
2. Last appointment held
3. P.P.O. No.
4. Amount of pension

.....

5. Number and a date of the order of the re-employing authority in which the pensioner has been allowed to draw civil pension in addition to pay.

6. Date from which payment is to be made to a nominee.

7. The name of the Treasury in India from which payment is desired.

8. The name and address of the nominee to whom payment is to be made together with his or her specimen signature and thumb impression if possible (see foot-note below).

9. Names and addresses of two well-known residents of the district in which the nominee is residing, i.e., the district in which payment is desired who can identify the nominee from personal knowledge.

Signature of the pensioner.

Dated 194 .

(Foot-Note.-- Government pensioners authorising the payment of their civil pensions to their nominees are advised in their own interest to send (whenever possible) along with their applications specimen signatures or thumb-impression of the nominees for transmission to the Treasury Officer concerned along with the authorisation, to serve as an additional safeguard besides the identification of the nominees by two well-known residents of the place. If a pensioner does not send the nominee's specimen signature or thumb impression along ....

with his application for any reason, the Treasury Officers should not insist on the production of the specimen signature or thumb impression before making payment, but should be satisfied with the identification of the payee by two local residents. After identification the undertaking containing the signature or thumb impression of the nominee should be taken in the presence of the Treasury Officer at the time of the first payment. When making further payments to a nomin e, the Treasury Officer should refer to this signature or thumb-impression.)

FORM B.

(Form of declaration by the nominee.)

To- The Governor of Bombay.

In consideration of the Governor of BOMBAY agreeing to pay the vi civil pension of to me as his nominee in accordance with the orders on the subject issued by the Government of Bombay and contained in the Finance Department Resolution dated as modified by subsequent orders, I hereby agree, and give this undertaking to pay on demand to Government the amount which ma y be found due to Government from the said settlement of accounts in accordance with the said orders. The decision of the Governor of Bombay as to the amount due shall be final.

Given under my hand this the day of 194 ,

(Witness). (Signature).

E.B. (II).

Submitted for information.

14/-
23-1-46. Record. 14/-
23-1-46 S. B. 22/1

H.W.H./-

Assessment and issue of pension in respect of home civil servants appointed to posts in India.

GOVERNMENT OF BOMBAY,
Finance Department,
Resolution No. 8598.

Bombay Castle, 17th January 1945.

RESOLUTION OF GOVERNMENT.

In exercise of the powers conferred by clause (3) (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor of Bombay is pleased to amend the Bombay Civil Services Rules, as follows, namely:-

In the said Rules after rule 231-A the following rule shall be inserted namely:-

"231B. (1) If a ~~wi~~ civil servant as defined by section 18 of the Superannuation Act, 1887 , is appointed ~~a~~ by Government to any Office under the Crown in India, Government may direct that his service in that office shall qualify for the grant of a pension or gratuity as if it were service rendered in the office held by him as a civil servant immediately before his appointment to service in India, and there shall be paid to or in respect of him, out of the revenues of the Province and shall be charged on those revenues, in respect of the whole period of his absence from the United Kingdom in connection with his appointment to service in ~~India~~ India under Government a pension or gratuity calculated in accordance with the Superannuation Acts, 1834 to 1935, and the orders, rules and regulations made thereunder, but on the basis of the salary of the office last held by him as a civil servant before his appointment to service in India.

(2) No such direction as aforesaid ~~a~~ shall be given in relation to service in any office if the service of the person in question in ....

that office would qualify for the grant of a pension without any such direction.

(3) Any grant made under these rules is subject to reduction or suspension or withdrawal in the same way as pension or gratuity under the Bombay Superannuation Acts, any reduction of a total award of which a grant under these rules forms part being applied proportionately."

By order of the Governor of Bombay,

S. D. MARGOLWALA,
Deputy Secretary to Government.

G.R., No. 8808, F. D., dated 17th January 1945.

To

The Accountant General, Bombay,
The Prothonotary and Senior and Master, His Majesty's High Court, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
All Heads of Departments under the Several Departments of the Secretariat,
All Departments of the Secretariat.

No. of 1945.

Copy forwarded for information and guidance to (S,B. I).

The orders have been addressed to all heads of Departments under the Several Departments of the Secretariat.

2 No further action is necessary.

Id/-
10-2-45

Record

Id/-
10-2-45.

M.M.M./-

Pension:
Petty Pensioners:
Payment by postal
money-orders.

GOVERNMENT OF BOMBAY.
Finance Department.
Resolution No. 533.
Bombay Castle, 12th March 1945.

RESOLUTION OF GOVERNMENT.

Government is pleased to direct that the following amendment should be made to the rules in the Financial Publication No. II :-

page 28, Sub-rule 71-A-

After the first two lines of this rule insert the following sentence:-

" This concession may be extended to cases where the amount of pension exceeds Rs.60 per month but the net amount to be remitted by money-order, after fund and other deductions, does not exceed Rs. 60 per month".

By order of the Governor of Bombay,

V. P. SABNIS,
Under Secretary to Government.

To

The Accountant General, Bombay,
The Commissioners of Divisions,
All Collectors,
All Treasury Officers (with spare copies for Sub-treasuries),
All Departments of the Secretariat.
No. No. of 1945.
Copy forwarded for information and guidance to

E.B.(II)

Submitted.

2. The necessary comn. has been made in the E.B. copy of the Publication thro. AB & RB.

M.W.H./- Id/- 31-3-45- 2-4-45. Id/- 7-4-45.

FINANCE DEPARTMENT.

Bombay Castle, 10th April 1945.

No. 2736/33-C In exercise of the powers conferred by clause (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor of Bombay is pleased to direct that the following amendments shall be made in the Bombay Civil Services Rules, Volume I:-

Page 97, rule 312-

Substitute the following for the existing rule as amended by Correction Slip No. 146:-

312. (a) In the case of persons who were in service prior to 23rd November 1937, a pension fixed in rupees is payable at any treasury in India, or at the option of the person,

(i) if he be residing in any country in which the rupee is not legal tender, at or through the Home Treasury; and

(ii) if he be residing in any British Dominion or Colony, by any of the authorities mentioned in Appendix 14 15 of the Civil Service Regulations; (Most of these authorities are mentioned in Rule 763.)

(b) In all other cases a pension fixed in rupees shall be payable at any treasury in India.

Note1-- A person who has been drawing his pension in sterling under sub-clause (i) of clause (a) above may at his option if he proceeds to a country in which the rupee is legal tender, continue for six months to draw his pension in sterling from the Home Treasury.

Note2-- If a pension fix ed in rupees is drawn under clause (a) of this rule at or through the Home Treasury or in a Colonu/in ...

which the rupee is not legal tender, it shall be converted into sterling at the current rate of exchange calculated by such method as the Secretary of State may from time to time prescribe, provided that save where a pensioner resides in India (which for the purposes of this Rule and the Notes below it, shall be deemed to included Burma, Ceylon, Nepal and the French and Portuguese establishments in India), the minimum rate of conversion shall be to the rupee.

Note 3- The pension of any pensioner who is entitled to the minimum rate of 1s. 9d. under this rule and who has commuted any portion of his pension on or after the 1st August 1941 shall be converted at the rate of exchange prescribed by the Secretary of State as herebefore provided and to the resulting pension shall be added so long as he is entitled to the minimum rate of 1s. 9d. the difference between the values of full pension (less any portion commuted before 1st August 1941) converted at that rate and at the rate of exchange prescribed by the Secretary of State as herebefore provided respectively.

Note4- The minimum rate as shall apply to gratuities paid to persons residing outside India but when the service of a person to whom a gratuity is granted terminates in India, his gratuity shall be paid in India.

By order of the Governor of Bombay,

B. VENKATAPPIAH, Joint Secy.

Copies for information to:-

The Accountant General, Bombay,

All Departments of the Secretariat, ...

The Secretary to Governor,

The Prothonotary and Senior Master, His Majesty's High Cout, Bombay,

The Registrar, His Majesty's High Court of Judicature, Appellate Side, Bombay,

All other Heads of Offices-under the several Departments of the Secretariat.

E.B. (1)

The necessary correction has been made in the E. B.

Copy. Thro. AB & RB.

Id/-
18/6/45

Id/-
27/6/45.

No. 3576/C. Finance Department,

Bombay Castle, 21st June 1945.

Subject: Payment of civil pensions to the nominees of Bombay Government pensioners who are re-employed by the Military Department and serving overseas.

Memorandum:

The undersigned presents compliments to the Secretary to Government, P u b l i c W o r k s Department, and with reference to Government Endorsement, Finance Department, No. 3576/C, dated 5th May 1944, and Government Resolution, Finance Department, No. 3576, dated 8th January 1945, is directed to state that the arrangements regarding the payment of pensions to nominees of pensioners of this Government re-employed by the Military Department and serving overseas, communicated in this Department endorsement No. 3576-C, dated 5th May 1944, have been extended on a reciprocal basis in respect of the payment of pensions of this Government at the treasuries of any of the Provincial Governments noted in the margin and vice versa.

Madras
Bengal
United Provinces
Central Provinces
Punjab
Assam
Bihar
Orissa
Sind
North West Frontier Province.

By order of the Governor of Bombay,

For Financial Adviser to the Government of Bombay, Finance Department.

Pensions:
Procedure for
sanction of --.

GOVERNMENT OF BOMBAY.
Finance Department.
Resolution No. 3266/33.

For further orders
Please see G.C.,F.D.,
No. 3266/33, dated
the 19/1/61,
(3182/48/6728).

Bombay Castle, 8th January 1946.

RESOLUTION OF GOVERNMENT.

It has been brought to the notice of Government that, in spite of orders issued from time to time directing that delays in sanctioning pensions should be avoided, there have still been many instances in which avoidable delay in sanctioning pensions has occurred. All authorities dealing with applications for pension should bear in mind that delay in payment of pensions involves peculiar hardship. It is essential to ensure, therefore, that a Government servant begins to receive his pension on the date on which it becomes due. In order that such delays may not occur, Government is pleased to issue the following directions:-

(1) The Audit Officer should send to every Gazetted officer a copy of Articles 907 to 913, Civil Service Regulations or Bombay Civil Services Rules 194 to 199, as the case may be, one year in advance of the date on which the officer attains the age of Superannuation or as soon as possible before the date from which he has formally sought permission to retire. Similarly, in the case of non-gazetted Government servants who are due to retire, the preparation of the service statement and the verification of service should be undertaken by the Head of the Office as soon as it becomes known that a Government servant will retire within a period of six months or has proceeded on leave preparatory to retirement and should not be delayed till he has actually submitted the formal application

for pension.

(ii) The following points should be carefully observed in the preparation of pension papers:-

(a) If the temporary post against which the Government servant shown before confirmation was subsequently made perzanent, the number and date of the orders making the post permanent should be specified (Bombay Civil Services Rule 240 (1)/Civil Service Regulation 370).

(b) It should be stated whether acting and probationary service prior to confirmation conforms to the conditions of Civil Service Regulations 371 and 373 respectively (Bombay Civil Services Rule 240-A).

(c) The nature of special pay drawn during the last three years of service should be examined to see if it is covered by Civil Service Regulations 23-C and 486 (j) or Bombay Civil Services Rule 9 (41-A).

(d) The nature of the officiating vacancy in which the Government servant officiated during the last 3 years of his service should be stated, see Article 486(h), Civil Service Regulations [Bombay Civil Services Rule 9 (41-A)].

(e) Certificate required by Bombay Civil Services Rule 9 (41) (1) and 9 (41-A) regarding the special pay, ect., admissible during leave should be furnished with the pension papers.

(f) In many cases, steps to get the military service verified and admitted towards civil pension are taken after .....

the Government servant retires. If these steps are taken while the Government servant is in service, much delay will be saved in the settlement of final pension. In cases in which this cannot be done till after the Government servant retires, he may be granted final pension for his civil service subject to revision later after his military service is verified.

(g) In some cases Government servants are permitted to retire on retiring pension under Bombay Civil Services Rule 254 of Civil Service Regulation 465 without their eligibility being ascertained and when the pension papers are received by the Audit Officer it is found that the Government servant is not eligible to retire. If the pension ca case is sent to the Audit Officer before the Government servant actually quits service, the possibility of the premature discharge of the Government servant and consequent inconvenience and correspondence can be avoided.

(iii) According to the Instruction below Note 5 to Bombay Civil Services Rule 736 (a (b) the authority sanctioning leave on average pay on medical certificate has power to waive recovery of the leave allowances paid in excess, in the case of Government servants who are invalided at the end of the leave. In cases in which an order for waiving such recovery is passed, the order should always be sent to the Audit Officer along with the pension papers.

(iv) Heads of offices who are competent to sanction pensions should always send to the Audit Officer the order of sanction along with the pension papers and not merely call for the report and then issue the sanction. The attention of the Heads of offices is ...

drawn to Government Circular, Finance Department, No. 3266/33, dated 9th February 1938.

2. With a view to ensuring that sanction to pensions is not unduly delayed, Government has recently approved fxx of certain amendments to the rules in Section II of Chapter XI of the Bombay Civil Services Rules Manual, Volume I. These have been issued separately. Government has also prescribed a new form (printed as an accompaniment to this Resolution), which should be substituted a new fxxm with effect from 1st January 1946, for the existing Civil Service Regulation Forms Nos. 24, 25 and 26.

By order of the Governor of Bombay,

J. SANTOS,
Financial Adviser to Government.

G. R., No. 3266/33, F.D., dated the 8th January 1946.

To

The Accountant General, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay Bombay,
The Prothonotary and Senior Majesty Master His Majesty's High Court, Bombay,
The Superintendent, Government Printing and Stationery, Bombay (with and intimation that the new form should appear under standard form No. Gen. 32, and that the form under standard No. Gen. 33, 33-A and 34-A should be discontinued. The Superintendent is requested to keep in x stock 5,000 copies f of the new form for supplying to Government offices),
11 other Heads of Offices under the Several partments of the Secretariat,
Departments of the Secretariat. .....

No. of 1946.

opy forwarded for information and guidance to

A. ENTAILMENT TO Government Resolution. Finance Department , No.3266/33, dated the 8th January 1946.

FORM NO. 15 (PENSION) (FOUR PAGES)..... REFERRED TO IN BOMBAY CIVIL SERVICES RULES 193, 193-A, 198-B, 207-B, 209 AND 212.

First Page.

Appli ation for Pens.on or Gratuity

1. Name of applicant.

2. Father's name.

3. Race, se t and caste.

4. Residen e, showing village and paragana.

5. Present or last em lo ment, in ludkng name of establishment.

6. Date of bogianing of servi e.

7. Date of ending of serv. e.

7-A. Total p riod of military servi e.
Date of ommencement and end of each period of military service.
Amount and nature of aby -ensi on/ gratuity received for the military servi e.

7-B. Governments under which service has been rendered in order of employment.

8. Length of servi e, including interruptions.

9. Name of ension or gratuity applied
10. Pensionable ay.
11. for and ount of a lication
Pro osed pension.

12. Proposed gratuity.

13. Date from which pension is to

commence.

14. Place of payment (Government Treasury or Sub-treasury).

15. Date of applicant's birth by Christian era.†

16. Height†

17. Marks.†

Thumb and Finger Impressions.†

Thumb. fore finger. Middle finger Ring finger.

Little finger.

18. Date on which the applicant applied for pension.

Signature of Head of Office/Department.

*If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise tothe claim should be fully stated.

† If not known exactly it must be stated on the best information or estimate.

‡ Note.— In the case of European ladies, gazetted Government servants, government title-holders and other persons who may be specially exempted by Government thumb or finger impressions and particulars of height and personal marks are not required.

Second Page.

His

History of service (showing interruptions) of

Second Page.

Date of birth.

Establish-ment.	Appoint-ment.	Pay. Rs. a. P.	Date of beginning.	Date of ending.	Total period of service. Y. M. D.	Duty period counting for pension. Y. M. D.	Remarks

How verified. Remarks by the Audit Officer

Third Page.

Remarks by Head Of Office/Department.

1. As to character and past conduct of applicant.

2. Explanation of any suspension or degradation.

3. Regarding any pension or gratuity already received by the appli ant.

4. Any other remarks.

5. Specific opinion of Head of Office/Department whether the service claimed is established and should be admitted or not [see Rules 198-A (ii)] and 207 -B (a) (ii).

6. Provisional recommendation of the sanctioning authority whether the pension claimed should be admitted or not [see Rules 198-B (f) and 207-B (c)].

Signature.

No. , dated 19 .

Accountant
Certificate and report of the General.

Certified that (subject to the remarks recorded below)* duty counting for pension has been duly proved for years months days; and that pension or gratuity not exceeding Rs. a months is admissible under Rule of Bombay Civil Services Rules. The calculations have been duly verified. The pension or gratuity is chargeable to and will commence from 19 .

Attention is invited to Bombay Civil Services Rule -1838

As the date of application is later than the date of retirement the pension may commence from ..... the date of the application or from.....

the date of retirement, according as the sanctioning authority directs under Bombay Civil Services Rule.

(This paragraph may be scored out when not required.).

Accountant General.

Note.- If the qualifying servi e is more than suffic ent to obtain the maximum pension, the certificate may run " duly proved fit for over years " (the number of years entered being that required to earn the pension).

* "In the case of officers who are eligible for the additional pension authorised in Bombay Civil Servi ce Rules 262 to 265 the following additions should be made to the usual form of the certificate:-

He has served for years as and is eligible for a special additional pension of Rs if he is considered to have rendered service of a character deserving of the concession."

Fourth Page (Docket).

Application for Pension or Gratuit

Date of a plication.

name of appli ant.

Last appointment

Class of pension or gratuity.

Sanctioning authority.

Amount of pension sanctioned.

Date of commencement.

Date of sanction.

S.O. (I)

Submitted for information .

1[illegible]3-46. records.

7/[illegible]R FB II Cashier

Secy. (R & B)

14/-
7/7/46.

Pensions:
Procedure for sanction of-.

GOVERNMENT OF BOMBAY.
Public Works Department.
Circular Memorandum No. 580/36.
Bombay Castle, 6th August 1946.

GOVERNMENT CIRCULAR MEMORANDUM.

In spite of orders issued from time to time directing that delays in sanctioning pensions should be avoided, a large number of cases in which avoidable delays in sanctioning pensions have occurred has come to the notice of Government. Such dela s cause much inconvenience and hardshi, to the pensioners. The attention of all local off cers is accordingly invited to the instructions issued in Government Resolution, Finance Department, No. 3266/36, dated the 8th January 1946, and it is hereb, emphasized that Government expects a very strict adherence to the directions given therein.

By order of the Governor of Bombay,

Sd/- 7/8/46
(G. N. Pandit),
Deputy Secretary to Government.

To

The Chief Engineer, Post War Reconstruction.
The Superintending Engineers of C rcles.
The Special Officer (Electric Grid)
The Public Health Engineer to Govt.
The Electrical Engineer to Govt.
The Executive Engineers of Divisions.
The Director, Development Department Chawls.

No. of 1946.

Cop forwarded for information and guidance to-

MWH/-

Pensions

Military Service.

Counting of - towards-

GOVERNMENT OF BOMBAY.

Finance Department.

Resolution No. 1948/33.

Bombay Castle, 6th January 1947.

RESOLUTION OF GOVERNMENT.

Government is plased to issue the following amendments to the Bombay Civil services Rules:—

Page 74, Rule 245 —

(i) Substitute the following for the words "If a Government servant ..... four-fifths of the service so rendered shall be treated" occurring at the beginning of this rule:—

"If a Government servant had, prior to his appointment to Government service in India, rendered satisfactory paid service between the 4th August 1914 and the 31st August 1921 in His Majesty's Military, Naval Royal Indian Marine or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Royal Indian Marine or Air Force Rules, four-fifths of the service so rendered shall be treated."

(ii) Delete Note 2 below this rule add number the existing Notes 3, 4 and 5 as 2, 3 and 4 respectively.

2. The orders contained in Government Circulars, Finance Department, No. 1948/33, dated 23rd July 1940, 14th February 1941, and 16th April 1943, should be treated as cancelled.

By order of the Governor of Bombay,

V. N. JOSHI,

Deputy Secretary to the Government of Bombay,

Finance Department.

P.T.O.

To

The Accountant General, Bombay,

*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,

*The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,

All other Heads of Departments under the Several Departments of the Secretariat,

All Departments of the Secretariat.

* By letter.

No. of 1947.

Copy forwarded for information and guidance to

MWH./-

No.1581/31-D.
Political and Services Department,
Bombay Castle, 4th March 1947.

Subject:- Reduction in pension.

Consultation with the Bombay-Sind Public Service Commission, regarding .....under the Bombay Civil Services Rules 168 and 169.

....

MEMORANDUM.

Government have had under consideration the question whether a general rule should be framed requiring consultation with the Public Service Commission in cases involving action under Bombay Civil Services Rules 168 and 169. It has been decided that no such general rule should be framed but that each such case should be dealt with on its merits. The Department of the Secretariat are, therefore, informed that in each case involving action under Bombay Civil Services Rules 168 and 169 the orders of Government should be taken whether or not the Public Service Commission should be consulted.

By order of the Governor of Bombay,

Sd/-

For Chief Secretary to the Government of Bombay,
Political and Services Department.

To

All Departments of the Secretariat.

.....

Copy forwarded for information to:-

The Secretary to the Governor,

The Secretary, Bombay-Sind Public Service Commission,

The Accountant General, Bombay.

Submitted for information

1947.

Pension:
Deficiency in the amount of duty or of total service or both,
Condonation of--

GOVERNMENT OF BOMBAY.

Finance Department.

Circular No. 2472/33.

Bombay Castle, 3rd March 1938.

CIRCULAR OF GOVERNMENT.

Rule 192 of Bombay Civil Services Rules empowers Government to condone for special reasons to be recorded in writing, deficiency up to one year in the amount of duty or of total service or both. This has given rise of to a number of requests for condonation of deficiency. Government has, therefore, carefully considered the general question of condonation of deficiency and is pleased to direct that deficiency not exceeding three months in the amount of duty or of total service or both may be condoned freely in cases of proved indigence and only sparingly and for special reasons of hardships in other cases, each case being considered on merits.

2. The criteria in paragraph 1 above should also be followed while considering cases of addition to be made to the amount of duty counting towards pension.

By order of the Governor of Bombay,

V. M. JOSHI,
Deputy Secretary to Government.

To

The Accountant General, Bombay,
*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
*The Registrar of His Majesty's High Court of Judicature, Appellate Court, Side, Bombay,
All Heads of offices under the several Departments of the Secretariat,

.....

All Heads of offices under the several Departments

of the Secretariat,

All Departments of Secretariat.

*By letter.

No. of 1945.

Copy forwarded for information and guidance to

E. B. (II) . P. W. D.

Submitted for information .

Record.

Thro E.B. (I) and Cashier.

Id/-
29-7-45.

Sh. 7/6.
10/-

"Pro E.B. (I) and Cusp10r.

Wood".

Bupplied for inspection .

E. B. (II) . P. W. D.

Cobb forwarded for information and guidance to

Mr. No. of 1924.

"By letter.

VII Departments of Secretariat.

of the Secretariat,

VII Heads of offices under the Madras Departments

.....

Copy of a letter from the Government of India, Ministry of Home Affairs. No.23/44/48-Ests. dated the 14th December 1948 to Y.N.Sukthankar, Esquire, CIE., ICS. , Chairman. I. C. S. (Central) Association, C/o Ministry of Transport, New Delhi.

Subject:-Proposal for the fixation of the I. C. S. annuity at Rs. 13.333/5/4 per annum instead of at £ 1000 subject to a minimum of Rs. 10,666/10/8 per annum, as at present.

I am directed to reply to your letter dated the 7th June 1948 wherein the I. C.S. (Central) Association have made the proposal that the full I. C. S. annuity should be fixed at Rs.13,333/5/4 instead of continuing to be regulated on the basis of £ 1000 subject to minimum of Rs. 10,666/10/8.

2. The I. C. S. annuity is at present fixed at Rs. 10,666/1 subject to a minimum of £ 1000. where payment of the annuity is taken in India it may be taken. at the option of of the recipient. either in rupees or at the fixed sterling minimum converted into reupees at such rate of exchange as was previously prescribed by the Secretary of State and may now be prescribed by the Government of India. Except in the case of Indian officers who entered service on or befoee before the 1st Febru ary 1921 and who are guarnteed a rate of exchange applicable in all other cases which was prescribed by the Secretary of State for the purpose and which has remaini in force for several years is 1s. 6d. to the rupee the Association's proposal now in effect is that the rate of exchange in the other cases should stabilized at 1s. 6d. to the rupee.

of Ls.4d. to the rupee for the the conversion of the minimum sterling annuity into rupees, the rate of exchange

3. I am to say that the Government of India have carefully considered the Association's proposal but they regret tht that for the reasons stated below they are unable to acceptit

4. [It has been made clear in the Home Department Letter No. 45/19/47-Ests. dated the 14th August 1947, t hat]

It has been made clear in the Home Department Letter No. 45/19/47-Eats. dated the 14th August 1947, that the guarantee contained in para. 3 of the Viceroy's announcement of 30th April 1947 includes the special and minimum rates of exchange laid down in Articles 933A. 934, 934A to D, 953 and 983 of the Civil Service Regulations. This, however, was subject to the conditions contained in those Articles, one of which is that the pensions expressed in sterling shall be convertible into rupees at such rate of exchange as the Secretary of State may, from time to time be prescribed by the Government of India, the successor authority, and not the particular rate of Is. 6d. to the rupee which was in force immediately before the transfer of power.

2. by order prescribed In the change context the foregoing expression can any mean such rate of exchange as may

3. The Government of India agree that now that most of the European members of the I. C. S. have left, it is somewhat anomalous that the I. C. S. annuity should continue to be fixed in sterling. The matter, however, forms part of a bigger issue affecting all Services, and the removal of the anamoly will involve in alteration or the whole structure of the pensionary rules in the Civil Service Regulations. The Government of India regret that they are not in a position to undertake this piece of reform just at present.

I am however to state in this connection that the rupee equivalent, namely, Rs. 10,666/10/8 was fixed at a time when the exchange rate was about 2s. to the rupee and whatever variations in in the rate of exchange may have taken place since then, that figure alone will have to be taken as the Basic point if any proposal for a new minimum rupee equivalent were to be entertained.

6. It is possible that members of the Association entertain apprehensions that the rate of exchange for the purposes of Article 983, C. S. R, may be changed arbitrarily, in future to their disadvantage. Though such an apprehension is not well-founded, I am, nevertheless to convey the same assurance that the rate of exchange for the purpose of that Article will be the one generally applicable to all official transactions between India and the United Kingdom and that there is no intention to prescribe it arbitrarily with reference to pensions alone. Ay As your Association may be aware, India is

one of the Members of the International Monetary Fund, that she has already declared the par value of the Indian rupee as equal to 1s. 6d. and that a change in the par value of the currency of a member of the Fund may only be made after consultation with the Fund which has the power to agree or object to such a change in the event of the change exceeding 10% of the initial par value. Thus you will observe that the exchange rate of the rupee has already been more or less stabilised at 1s. 6d.

7. I am to request that you will inform your Association accordingly.

No.23/44/46-Ests. New Delhi, the the 14th December 1946

Copy with a copy of the letter under reply is forwarded for information to all provincial Governments.

Copy with a copy of the letter under reply is also forwarded for information to the Ministry of Finance with reference to their un-official No. 6061-EV/46, dated the 23rd November 1946.

By order.

(C. S. Gulati)
Under Secretary to the Government of India.

Copy of a letter from T. S. Sukthankar, Esquire CIE., ICS., Chairman, I. C. S. (control) Association, New Delhi, to the Secretary to the Government of India, Ministry of Home Affairs, New Delhi.

I am to refer to the endorsement No 45/19/47-Ests., dated the 14th August 1947 from the Home Department(India). New Delhi to all provincial Governments and all Departments of the Government of India informing the members of the I. C. S. that the guarantee of pensionary rights mentioned in paragraph 3 of His Excellency the Viceroy's announcement dated the 3rd 30th April 1947 includes the special and minimum rates of exchange laid down in Article 983 of the ~~X~~ Civil Service Regulations. Section 561 of the Civil Service Regulations states that an I. C. S. Officer who has been 25 years in the Service and has remered 21 years active service is entitled to an annuity of Rs. 10666/10/8 subject to a minimum of £ 1000/-. Rule 983. ~~ek~~ Clause 2 states that when an annuity or gratuity is taken in India it may be taken at the option of the recipient either in rupees or at the fixed sterling minimum converted into at such rate of exchange as the Secretary of State in Council may by order prescribe. The endorsement referred to above clarified that this rate of exchange is at present 1sh. 6d to the Rupee. Thus every I. C. S. officer retiring on full pensionge gets an annuity of £ £ 1000/- converted at 1s. 6d to the rupee or in fact Rs. 13,333/5/4. The I. C. S. (Central) Association feels ~~it~~ that now that most of the european members of the service have left, there is no point in fixing the minimum in sterling. Indian Officers of the I. C. S. can hardly be interested in having their annuities paid in sterling. Instead it is suggested that this minimum may be ~~X~~ fixed in rupees. For example, the full annuity for an I. C. S. officer should in future be ~~date~~ declared to be Rs. 13,333-5-4 instead of ~~as~~ Rs. 10,666/10/8 subject to a minimum of £ 1000/-.

2. It is hoped that the government of India will modify the rules suitably for the future and fix the annuity for an I. C. S. officer who has been 25 years in the service and rendered 21 years active service at Rs. 13,333/5/4 Figures may be fixed on the same basis for additional pensions to be paid to ~~X~~ I. C. S. officers retiring as High Court Judges ect. and for proportionate pensions.

No. 4120/46.

No. 4120/46.

Political and Services Department.
Bombay Castle, 13th January 1942

S P

Forwarded for information to:-

The Accountant General, Bombay,

All Departments of the Secretariat,

(except the Separate Department).

By order of the Governor of Bombay,

J. CHAVES.

for Chief Secretary to the Government of Bombay, Political and Services Department.

E. B. (I)

Submitted for information.

2 None of the officers in this Deptt. seem to be concerned.

Record.

Id/-
28-1-42.

Id/-
31-1-42